

TELEFAX COVER SHEET

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THIS MESSAGE HAS 23 PAGES INCLUDING THIS SHEET

TO: Commissioner of Patents
FAX NO.: 703-872-9314
FROM: EAMON J. WALL
DATE: 8/8/02
MATTER: Serial No. 09/994,583 Filed: 11/27/02
DOCKET NO.: DIVA/304
APPLICANT: CLEARY ET AL.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

- Petition
Disclosure Statement & PTO-1449
Priority Document
Drawings ( sheets) informal
x Preliminary Amendment
x Transmittal Letter (2 copies)
x Fee Transmittal (2 copies)
Deposit Account Transaction
x Facsimile Transmission Certificate dated 8/8/02

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being transmitted by facsimile to the Assistant
Commissioner for Patents, Washington, DC 20231 on 8/8/02, Facsimile No.
703-872-9314

LAURA E. CRATER
Name of person signing this certificate

Signature and date 8/8/02

PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box →

Approved for use through 10/31/2002. OMB 0651-0031  
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/994,583
	Filing Date	11/27/01
	First Named Inventor	Cleary et al.
	Group Art Unit	2611
	Examiner Name	Not assigned
Total Number of Pages In This Submission	Attorney Docket Number	DIVA/304

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response - Preliminary Amendment  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)   <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks	The Commissioner is authorized to charge the additional claims fee in the amount of \$114 to Applicants' attorneys' Deposit Account No. 20-0782.  The Commissioner is authorized to charge any underpayment or credit any overpayment of fees (including but not limited to any extension fees pursuant to 1.136(a)), to Deposit Account 20-0782. A duplicate copy of this transmittal is attached.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Eamon J. Wall, Reg. No. 39,414
Signature	<i>E. J. Wall</i>
Date	8/8/02

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">for FY 2002</h3> <p style="font-size: small; margin: 5px 0;">Patent fees are subject to annual revision.</p>	<i>Complete if Known</i>	
	<b>Application Number</b>	09/094,583
	<b>Filing Date</b>	11/27/01
	<b>First Named Inventor</b>	Cleary et al.
	<b>Examiner Name</b>	not assigned
	<b>Group / Art Unit</b>	2611
<b>TOTAL AMOUNT OF PAYMENT (\$)</b> 114		<b>Attorney Docket No.</b> DIVA/304

<p><b>METHOD OF PAYMENT (check one)</b></p> <p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: 20-0782</p> <p>Deposit Account Name: MOSER PATTERSON &amp; SHERIDAN</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input type="checkbox"/> Payment Enclosed:</p> <p style="font-size: x-small;"><input type="checkbox"/> Check   <input type="checkbox"/> Credit card   <input type="checkbox"/> Money Order   <input type="checkbox"/> Other</p> <hr/> <p style="text-align: center; font-size: x-small;"><b>FEE CALCULATION</b></p> <p><b>1. BASIC FILING FEE</b></p> <table style="width: 100%; font-size: x-small;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>101</td><td>740</td><td>201</td><td>370</td><td>Utility filing fee</td><td></td></tr> <tr><td>106</td><td>330</td><td>206</td><td>165</td><td>Design filing fee</td><td></td></tr> <tr><td>107</td><td>510</td><td>207</td><td>255</td><td>Plant filing fee</td><td></td></tr> <tr><td>108</td><td>740</td><td>208</td><td>370</td><td>Reissue filing fee</td><td></td></tr> <tr><td>114</td><td>160</td><td>214</td><td>80</td><td>Provisional filing fee</td><td></td></tr> <tr><td colspan="5" style="text-align: right;"><b>SUBTOTAL (1)</b></td><td style="border: 1px solid black;">(\$ 0)</td></tr> </tbody> </table> <p><b>2. EXTRA CLAIMS FEES</b></p> <table style="width: 100%; font-size: x-small;"> <tr> <td>Total Claims</td> <td>28</td> <td>-20**</td> <td>=</td> <td>8</td> <td>X</td> <td>9</td> <td>=</td> <td>72</td> </tr> <tr> <td>Independent Claims</td> <td>4</td> <td>-3**</td> <td>=</td> <td>1</td> <td>X</td> <td>42</td> <td>=</td> <td>42</td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td></td> <td></td> <td>X</td> <td></td> <td>=</td> <td>0</td> </tr> </table> <table style="width: 100%; font-size: x-small;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>103</td><td>16</td><td>203</td><td>8</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>102</td><td>84</td><td>202</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>104</td><td>280</td><td>204</td><td>140</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>109</td><td>84</td><td>209</td><td>42</td><td>** Reissue independent claims over original patent</td><td></td></tr> <tr><td>110</td><td>16</td><td>210</td><td>8</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr><td colspan="5" style="text-align: right;"><b>SUBTOTAL (2)</b></td><td style="border: 1px solid black;">(\$ 114)</td></tr> </tbody> </table>	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	740	201	370	Utility filing fee		106	330	206	165	Design filing fee		107	510	207	255	Plant filing fee		108	740	208	370	Reissue filing fee		114	160	214	80	Provisional filing fee		<b>SUBTOTAL (1)</b>					(\$ 0)	Total Claims	28	-20**	=	8	X	9	=	72	Independent Claims	4	-3**	=	1	X	42	=	42	Multiple Dependent					X		=	0	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	103	16	203	8	Claims in excess of 20		102	84	202	42	Independent claims in excess of 3		104	280	204	140	Multiple dependent claim, if not paid		109	84	209	42	** Reissue independent claims over original patent		110	16	210	8	** Reissue claims in excess of 20 and over original patent		<b>SUBTOTAL (2)</b>					(\$ 114)	<p><b>3. 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For Reissues, see above</p>	Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	400	216	200	Extension for reply within second month		117	920	217	460	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,860	228	930	Extension for reply within fifth month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,280	241	640	Petition to revive - unintentional		142	1,280	242	640	Utility issue fee (or reissue)		143	480	243	240	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR 1.17 (q)		128	160	126	160	Submission of Information Disclosure Sheet		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))		148	740	248	370	For each additional invention to be examined (37 CFR § 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application		Other fee (specify)						*Reduced by Basic Filing Fee Paid						<b>SUBTOTAL (3)</b>					(\$ 0)
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<b>SUBMITTED BY</b>				<i>Complete if applicable</i>	
Name (Print/Type)	EAMON J. WALL	Registration No. Attorney/Agent	59,416	Telephone	732-530-9404
Signature	<i>EJ Wall</i>			Date	8/8/02

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